

THE HONORABLE FRED VAN SICKLE

Darrell L. Cochran  
James W. Beck  
David L. Sanders  
Gordon Thomas Honeywell Malanca  
Peterson & Daheim LLP  
1201 Pacific Avenue, Suite 2100  
PO Box 1157  
Tacoma WA 98401-1157

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

NICOLE LOGAN, et al,

Plaintiffs,

v.

CITY OF PULLMAN POLICE  
DEPARTMENT; WILLIAM T.  
WEATHERLY; DAN HARGRAVES;  
RUBEN HARRIS; DON HERROF; and  
ANDREW WILSON,

Defendants.

NO. CS-04-0214-FVS

ORDER DETERMINING  
FAIRNESS AND APPROVING  
SETTLEMENT

Representative Plaintiffs (as defined in the Settlement Agreement), on behalf of themselves, and all Class Members (as defined in the Settlement Agreement) and the above-named Defendants have filed a motion for a fairness determination and have requested an Order determining the fairness of the settlement between Class Members and Defendants with prejudice and without costs. The said motion having come regularly before this Court, and the Court having considered all of the pleadings and papers, and having heard oral argument hereby

FINDS, ORDERS, ADJUDGES and DECREES as follows:

1. The Court has jurisdiction over the subject matter of this action and over all parties to this action, including all Class Members as defined in the Settlement Agreement.

2. The Court has determined, and hereby confirms, that the Class Plaintiffs and Class Counsel adequately represent all Class Members.

3. The Court has determined, and hereby confirms, that notice has been given to all eligible Class Members through mailing and publication of the Class Notice. Legal notice was printed in The Daily Evergreen, The Moscow-Pullman Daily News, Spokesman Review, and The Seattle Times. Because the Daily Evergreen did not publish on weekends and The Moscow-Pullman Daily News did not publish on Sunday, the legal notice was printed for five consecutive publishing days in these papers. Additionally, on October 6, 2008, Plaintiffs mailed the Mailed Notice to Class to the 145 class members for which address information is available. The Court has determined, and hereby confirms that the procedures specified satisfy the requirements of FRCP 23 and the requirements of due process.

4. The time period for objections by Class Members has expired. No Class Members objected in writing to Class Counsel and no Class Members were present at the fairness hearing conducted on December 3, 2008 at 9 a.m. Representative Plaintiffs and Class Members shall be, and hereby are, bound by

1 the terms of the Settlement Agreement and this Final Settlement Order and  
2 Dismissal.

3 5. The Court finds that the settlement between the above-mentioned  
4 parties, in accordance with the terms set forth in the Settlement Agreement, is  
5 fair.  
6

7 6. That all claims which were asserted or which could have been  
8 asserted in this action by Representative Plaintiffs and/or Class Members against  
9 the Released Parties (as that term is defined in the Settlement Agreement) are  
10 hereby dismissed with prejudice and without costs. Representative Plaintiffs  
11 and all Class Members are hereby barred and permanently enjoined from  
12 asserting, instituting, or prosecuting any claims or causes of action against the  
13 Released Parties (as that term is defined in the Settlement Agreement) in any  
14 forum relating to any of the matters described in the Settlement Agreement,  
15 except as specifically provided for in the Settlement Agreement.  
16

17 7. The clerk is hereby directed to enter this Settlement Order and  
18 Dismissal forthwith.

19 DONE this 16th day of December, 2008.

20 s/ Fred Van Sickle

21 Judge Fred Van Sickle  
22  
23  
24  
25  
26

1 Presented by:

2 GORDON, THOMAS, HONEYWELL,  
3 MALANCA, PETERSON & DAHEIM, LLP  
4 Attorneys for Class Members

5 By: /s/ Darrell L. Cochran  
6 Darrell L. Cochran, WSBA No. 22851  
7 James W. Beck, WSBA No. 34208  
8 David L. Sanders, WSBA No. 39697

9 KEATING, BUCKLIN & MCCORMACK, INC.  
10 Attorneys for Defendants

11  
12 By /s/ Stewart A. Estes  
13 Andrew G. Cooley, WSBA No. 15189  
14 Stewart A. Estes, WSBA No. 15535  
15 Kimberly J. Waldbaum, WSBA 31529  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26